

eMark R. Vermeulen [CSBN 115381]
Law Office of Mark R. Vermeulen
755 Florida Street #4
San Francisco, CA 94110.2044
Phone: 415.824.7533
Fax: 415.824.4833

Attorney for Defendant
BERNADETTE ESCUE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 07-00610 JF
Plaintiff,)	
v.)	STIPULATION AND [Proposed]
BERNADETTE ESCUE,)	ORDER CONTINUING SENTENCING
Defendant.)	

Defendant Bernadette Escue, through counsel, and Plaintiff United States of America, through counsel, hereby stipulate as follows:

1. Sentencing currently is set for January 30, 2008. By this stipulation and proposed order, the parties respectfully request that the sentencing hearing be continued to February 20, 2008. This is the first requested continuance.

2. Defendant Escue has pled guilty to a violation of 18 U.S.C. § 1343 (mail fraud). In connection with the drafting of the presentence report, Ms. Escue and counsel need to provide to the Probation Officer certain financial and personal documentation. The obtaining and production of that documentation has been complicated by the fact that Ms. Escue has had to devote significant time in the last several months to caring for her elderly parents, and by the fact that Ms. Escue also recently has had to sell her house, and some of the necessary financial and personal documentation has been packed up and is not easily accessible.

1 3. Counsel for Ms. Escue has spoken with Lori Timmons, the U.S. Probation Officer who is
2 drafting the presentence report, and Ms. Timmons has indicated that she has no objection to this
3 requested continuance.

4 4. In light of the foregoing, the parties respectfully request that the sentencing hearing be
5 continued to February 20, 2008 at 9:00 a.m.

6 **IT IS SO STIPULATED.**

7 Dated: December 20, 2007

 Scott N. Schools
 United States Attorney

9 /S/
10 Joseph A. Fazioli
 Assistant United States Attorney

11
12
13 Dated: December 20, 2007

/S/
 Mark R. Vermeulen
 Attorney for Defendant
 BERNADETTE ESCUE

16 **ORDER**

17 Based on the foregoing stipulation, and good cause appearing,

18 **IT IS HEREBY ORDERED** that the sentencing hearing shall be continued to February 20,
19 2008 at 9:00 a.m.

20 **IT IS SO ORDERED.**

21
22
23 Dated: _____

 Jeremy Fogel
 United States District Judge